

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:
	:CHAPTER 13
SHAWN MCNAMEE	:
xxx-xx-7162	:
ANDREA E. MCNAMEE	:
xxx-xx-7285	:
Debtors.	:CASE NO. 19-17731/ELF
	:
Dwelling Series IV Trust	:
	:
Movant,	:
v.	:Courtroom Number 1
	:
Shawn and Andrea McNamee	:Hearing Date: March 8, 2022 @ 9:30 am
	:
Debtors,	:
And	:
	:
KENNETH E. WEST	:
Trustee,	:
	:
Respondents.	:
	:
	:

STIPULATION RESOLVING RELIEF MOTION

THIS matter being opened to the Court by Emmanuel J. Argentieri, Esquire of the law office of Romano Garubo & Argentieri, counsel for the secured creditor, Dwelling Series IV Trust, (hereinafter “Movant”), upon a motion for relief from the automatic stay as to real property, more commonly known as 659 Haunted Lane, Bensalem, PA 19020; and it appearing that the parties have amicably resolved their differences and for good cause shown;

1. Debtor's post-petition mortgage account is currently due for the November 1, 2021 through January 1, 2022 post-petition monthly mortgage payments at \$1,284.63 each, plus the February 1, 2022 through March 1, 2022 post-petition monthly mortgage payments at \$1,290.60 each, less suspense balance of \$101.20, along with the reimbursement of Movant's attorney fees/costs in the amount of \$1,050.00 for a grand total of \$7,383.89.

2. The aforesaid amount (\$7,383.89) shall be rolled into Debtor's Chapter 13 plan as a secured claim and shall be paid to Movant over the remaining term of Debtor's plan.

3. The Chapter 13 Trustee shall adjust his records to reflect the increased amount due to Movant pursuant to this order and pay said increased claim to Movant in normal course. Additionally, Debtor shall file a Motion to Modify the Plan within 30 days of Court approval of this stipulation to reflect the changes in the plan pursuant to this stipulation.

4. Within 30 days from the entry of this Stipulation, Debtor shall file a proof of claim on behalf of Movant for the amount set in paragraph 2 herein pursuant to this stipulation.

5. Commencing with the April 1, 2022 post-petition mortgage payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Movant as same come due.

6. If any regular monthly mortgage payments commencing after the cure of the post-petition delinquency are more than thirty (30) days late, Movant may send Debtor a written notice of default of this Stipulation. If the default is not cured within ten (10) days of the date of the notice, counsel for the Movant may file a Certification of Default with the

Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the mortgaged property referenced herein.

The undersigned hereby consent to the form and entry of the within order.

/S/EMMANUEL J. ARGENTIERI

Emmanuel J. Argentieri, Esquire
Attorney for Movant

Date: 4/4/2022

/S/BRAD J. SADEK

Brad J. Sadek, Esquire
Attorney for Debtor

Date: 4/6/2022

/S/LEROY W. ETHERIDGE

LeRoy W. Etheridge
For: Kenneth E. West
Ch. 13 Trustee

Date: 4/20/2022

**AND NOW, this _____ day of _____, 2022, it is hereby ORDERED
that the foregoing Stipulation is approved, shall be, and is made an Order of this Court.**

**Honorable Eric L. Frank
U.S. Bankruptcy Judge
Eastern District of Pennsylvania**

This stipulation consists of three (3) pages